

IN THE UNITED STATES DISTRICT COURT FOR THE

Middle DISTRICT of Pennsylvania

I WILFREDO A. CORDERO SANCHEZ
INS N°. A24-493 498

Petitioner

Vs.

THE INS DISTRICT DIRECTOR FOR

Philadelphia, PA. 19130

Respondent

MOTION IN SUPPORT OF WRIT
OF FEDERAL HABEAS CORPUS

CV01-0698

FILED
SCRANTON

APR 20 2001

PER JM
DEPUTY CLERK

TO THE HONORABLE JUDGE OF THE Middle DISTRICT COURT :

Come WILFREDO A. CORDERO SANCHEZ, INS N°. A24-493 498, Pro Se litigant of the above titled action to seek a Motion before this honorable court in support of his petition for writ of Federal Habeas Corpus. It is the Petitioner's honest contention that He was and still is being unlawfully incarcerated within The United States penal system contrary to the Laws, Rules and Practices of The United States Constitution, by and through which all of the established Rights and Protections have been duly acknowledged.

PETITIONER hereby sets for his reasons as to why his claim of unlawful incarceration is so long :

1) Petitioner Wilfredo A. Cordero Sanchez, INS N°. A24-493 498, LAWFULLY entered THE UNITED STATES under section (207) of the INA act with admission for permanent residence as a refugee, (SEE Attached "ENTRY")

(2)

2) No available service data systems has been check to release Petitioner from his 7 years of custody, after his release from his justify sentence to the INS custody On April 1ST. 1994 SINCE.

3) Petitioner is in custody in violation of the constitution, laws, and treaties of The United States;

3a) The Essence of "Habeas Corpus" is to attack by a person (such Petitioner) in custody, The legality of the custody the traditional funtion of the writ is to secure release from illegal custody.

4) Petitioner is challenging his prolonged detention in custody, which violates his due process rights.

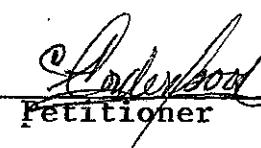
5) The District Director of Philadelphia, PA., in order to justify Petitioner's Detention argued that Petitioner's Detention is necessary to prevent arise of flight or a threat to the community or both, without considering the opportunity of supervisory release or Parole the Petitioner to measure his Rehabilitation.

6) The prolonged detantion in the custody of The INS occur since April 1st. 1994 which is beyond the time of his original justification sentece which started On January 7th, 1987;

6a) Detantion is permissible during proceeding to determine the negotiation for their return to the country of the origin, but once repatriation to the aliens is not possible, the aliens are entitled to release from custody as INS deems proper without violetions.

WHEREFORE, Petitioner ask to this HONORABLE COURT to sostain the application for WRIT of HABEAS CORPUS as deems to the Honor Judge.

Signed on 19 day of April, 200 1.


Petitioner

Original

1 : CV01-0698

RECEIVED
SCRANTON

APR 20 2001

PER *Jm*
DEPUTY CLERK

